



SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

### S1221

[SPONSORS STATEMENT](#): (Begins on page 4 of original bill) [Yes](#)

COMMITTEE STATEMENT: ASSEMBLY: No

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

### A2174

[SPONSORS STATEMENT](#): (Begins on page 3 of original bill) [Yes](#)  
Bill and Sponsor Statement identical to S1197

COMMITTEE STATEMENT: [ASSEMBLY](#): [Yes](#)

SENATE: No

FLOOR AMENDMENT STATEMENTS: [Yes](#) [1-12-99](#)  
[Yes](#) [1-28-99](#)

LEGISLATIVE FISCAL ESTIMATE: No

### A2175

[SPONSORS STATEMENT](#): (Begins on page 3 of original bill) [Yes](#)  
Bill and Sponsor Statement identical to S1196

COMMITTEE STATEMENT: ASSEMBLY: No

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

### A2562

[SPONSORS STATEMENT](#): (Begins on page 4 of original bill) [Yes](#)  
Bill and Sponsor Statement identical to S1221

COMMITTEE STATEMENT: ASSEMBLY: No

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

[VETO MESSAGE](#): [Yes](#)

[GOVERNOR'S PRESS RELEASE ON CONDITIONAL VETO](#) [Yes](#)

**GOVERNOR'S PRESS RELEASE ON SIGNING:**

Yes

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**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

No

P.L. 1999, CHAPTER 352, *approved January 14, 2000*  
Senate Committee Substitute (*Second Reprint*) for  
Senate, Nos. 1196, 1197, and 1221

1 AN ACT concerning check cashing businesses and the reporting of  
2 suspicious transactions, supplementing P.L.1977, c.110 and  
3 amending and supplementing P.L.1993, c.383.  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. (New section) The holder of any license issued under  
9 P.L.1977, c.110 (C.5:12-1 et seq.), or any person acting on behalf  
10 thereof, shall file a report of any suspicious transaction with the  
11 Director of the Division of Gaming Enforcement. For the purposes of  
12 P.L. , c. , (C. ) (now pending before the Legislature as this  
13 bill), "suspicious transaction" means the acceptance of cash or the  
14 redeeming of chips or markers involving or aggregating <sup>2</sup>[\$3,000]  
15 \$5,000<sup>2</sup> if the licensee or person knows <sup>2</sup>[,] or<sup>2</sup> suspects <sup>2</sup>[or has  
16 reason to suspect]<sup>2</sup> that the transaction:

17 a. involves funds derived from illegal activities or is intended or  
18 conducted in order to conceal or disguise funds or assets derived from  
19 illegal activities;

20 b. is part of a plan to violate or evade any law or regulation or to  
21 avoid any transaction reporting requirement under the law or  
22 regulations of this State or the United States, including a plan to  
23 structure a series of transactions to avoid any transaction reporting  
24 requirement under the laws or regulations of this State or the United  
25 States; or

26 c. has no business or other apparent lawful purpose or is not the  
27 sort of transaction in which a person would normally be expected to  
28 engage and the licensee or person knows of no reasonable explanation  
29 for the transaction after examining the available facts, including the  
30 background and possible purpose of the transaction.  
31

32 2. (New section) Any person required by section 1 of  
33 P.L. , c. (C. )(now pending before the Legislature as section 1  
34 of this bill) to file a report of a suspicious transaction who knowingly  
35 fails to file a report thereof or who knowingly causes any other  
36 person having that responsibility to fail to file a report shall be <sup>2</sup>[guilty

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Assembly floor amendments adopted January 28, 1999.

<sup>2</sup> Senate amendments adopted in accordance with Governor's recommendations January 10, 2000.

1 of a crime of the third degree] subject to the sanctions set forth in  
2 sections 129 of P.L. 1977, c. 110 (C.5:12-129). Nothing herein shall  
3 be deemed to preclude, if the evidence so warrants, an indictment and  
4 conviction for a violation of N.J.S. 2C:21-25 or any other provision of  
5 law<sup>2</sup>.

6  
7 3. (New section) The Division of Gaming Enforcement shall  
8 maintain a record of all reports made pursuant to P.L. , c.  
9 (C.....)(now pending before the Legislature as this bill) for a period of  
10 five years. The division shall make the reports available to any State  
11 or federal law enforcement agency upon written request and without  
12 necessity of subpoena.

13  
14 4. (New section) The Director of the Division of Gaming  
15 Enforcement shall promulgate rules and regulations pursuant to the  
16 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
17 seq.), to effectuate the purposes of P.L. , c. (now pending before  
18 the Legislature as this bill). The director may determine that  
19 compliance with applicable federal reporting requirements, as may be  
20 adopted or amended from time to time, satisfies the reporting  
21 requirements of this act.

22  
23 5. (New section) Any person who is required to file a report of  
24 a suspicious transaction pursuant to the provisions of section 1 of  
25 P.L. , c. (C. )(now pending before the Legislature as section 1  
26 of this bill) shall not notify a person involved in the transaction that the  
27 transaction has been reported.

28 Any person who violates the provisions of this section shall be  
29 guilty of a crime of the fourth degree.

30  
31 6. (New section) Any person who is required to file a report of  
32 a suspicious transaction pursuant to the provisions of P.L. , c.  
33 (C. )(now pending before the Legislature as this bill) who in good  
34 faith makes such a report shall not be liable in any civil action brought  
35 by any person for making such a report, regardless of whether the  
36 transaction is later determined to be suspicious.

37  
38 7. Section 15 of P.L.1993, c.383 (C.17:15A-44) is amended to  
39 read as follows:

40 15. A licensee shall:

41 a. Conspicuously display at each office, limited branch office or  
42 mobile office it operates the original license, certificate or branch  
43 authorization, as appropriate, issued by the commissioner.

44 b. Conspicuously display all signs and notifications which the  
45 commissioner may require.

46 c. Provide each customer, at the time of a transaction, with a

- 1 record of each transaction as specified by regulation.
- 2 d. Produce a photographic record, on such equipment as the  
3 commissioner may prescribe, of all of the checks cashed at the place  
4 of business and maintain a true copy of each such record.
- 5 e. Endorse each check cashed with the actual name under which  
6 the licensee is doing business and legibly write or stamp the words  
7 "Licensed Cashier of Checks" immediately after or below the licensee's  
8 name.
- 9 f. Conduct all check cashing business through a bank account or  
10 accounts which are used solely for that purpose, and which have been  
11 identified as such to the department.
- 12 g. Inform the department if any bank account number changes or  
13 if any bank account is closed.
- 14 h. Maintain adequate records of its check cashing business as  
15 prescribed by the commissioner by regulation.
- 16 i. Retain for five years essential records, and retain all other  
17 records for a shorter period as prescribed by the commissioner by  
18 regulation. Such records shall be separate from the records of other  
19 businesses in which the licensee may be engaged. Although separate  
20 records are required, it is not required that the licensee's check cashing  
21 business have a different legal identity from other businesses in which  
22 the licensee is engaged.
- 23 j. Suspend for at least six months the check cashing privileges of  
24 any customer who cashes, in any one calendar year, more than three  
25 checks which are returned by the payor bank because of insufficient  
26 funds, and notify the department in writing of the name of such  
27 customer and the action taken, except that for the purposes of this  
28 subsection, two or more checks of a single maker which are returned  
29 because of insufficient funds shall be counted as one check provided  
30 they were cashed the same day and deposited in the licensee's bank  
31 account on the same banking day.
- 32 k. Maintain at all times a capital or net worth of at least \$50,000  
33 for the operation of the licensee's check cashing business at each office  
34 and mobile office, and maintain at all times liquid assets of at least  
35 \$50,000 for the operation of the licensee's check cashing business at  
36 each office and mobile office.
- 37 l. **1** (1) Maintain on its premises, a record keeping system by  
38 which a licensee may track, and provide for inspection at the request  
39 of the commissioner, checks which the licensee cashed and which were  
40 made payable to a payee other than a natural person;
- 41 (2) The record keeping system required pursuant to paragraph (1)  
42 of this subsection l. shall include, but not be limited to, the following  
43 information:
- 44 (a) the date of the transaction;
- 45 (b) the name of the payee;
- 46 (c) the federal tax payer identification number of the payee;

- 1 (d) the face amount of the check;  
2 (e) the date of the check;  
3 (f) the name or names of those presenting the check for payment;  
4 (g) the name of the financial institution on which the check is  
5 drawn and the financial institution's transit routing number; and  
6 (h) the amount of the fee charged. ] <sup>1</sup> ~~Deleted by amendment,~~  
7 P.L. , c. (C. )(now pending before the Legislature as this bill.)

8 (1) Maintain on its premises, a record keeping system by which a  
9 licensee may track, and provide for inspection at the request of the  
10 commissioner, checks which the licensee cashed and which were made  
11 payable to a payee other than a natural person and checks which the  
12 licensee cashed in the amount of \$2,500.00 or more;

13 (2) The record keeping system required pursuant to paragraph (1)  
14 of this subsection l. shall include, but not be limited to, the following  
15 information:

- 16 (a) the date of the transaction;  
17 (b) the name of the payee;  
18 (c) the federal tax payer identification number of the payee;  
19 (d) the face amount of the check;  
20 (e) the date of the check;  
21 (f) the name or names of those presenting the check for payment;  
22 (g) the name of the financial institution on which the check is  
23 drawn and the financial institution's transit routing number;  
24 (h) the amount of the fee charged ;and  
25 (i) a photograph, photostat, duplicate or any other reproduction  
26 of the front and back of the fully endorsed check.

27 (3) The record keeping system shall be made available to any  
28 State or federal law enforcement agency upon written request and  
29 without necessity of subpoena.<sup>1</sup>

30 m. File with the Attorney General of New Jersey a duplicate copy  
31 of any report a licensee is required to file regarding business  
32 conducted in this State pursuant to 31 U.S.C.s.5311 et seq. and 31  
33 C.F.R.s.103 et seq .

34 n. Supervise employees engaged in the operation of the check  
35 cashing business to ensure the business is conducted lawfully and  
36 pursuant to the provisions of this act and any order, rule or regulation  
37 made or issued pursuant to this act.

38 (cf: P.L.1993, c.383, s.15)

39

40 <sup>1</sup> ~~8. Section 18 of P.L.1993, c.383 (C.17:15A-47) is amended to~~  
41 ~~read as follows:~~

42 18. No. license, or any person acting on behalf of a licensee, shall:

- 43 a. Cash a check which is made payable to a payee which is other  
44 than a natural person ~~unless the licensee has on file a corporate~~  
45 ~~resolution or other appropriate documentation indicating that the~~  
46 ~~corporation, partnership or other entity has authorized the presentment~~

- 1 of a check on its behalf and the federal taxpayer identification number  
2 of the corporation, partnership or other entity】;
- 3 b. Cash a check for anyone other than the payee named on the face  
4 of the check, except that the commissioner may, by regulation,  
5 establish exceptions to this prohibition;
- 6 c. Cash or advance any money on a postdated check;
- 7 d. Fail to give each customer at the end of each transaction a  
8 receipt showing the amount of the check which was cashed, the  
9 amount which was charged for cashing the check, and the amount of  
10 cash which the customer was given;
- 11 e. Engage in the business of making loans of money, credit, goods  
12 or things or discounting or buying of notes, bills of exchange, checks  
13 or other evidences of debt, or conduct, or allow to be conducted, a  
14 loan business or the negotiation of loans or the discounting or buying  
15 of notes, bills of exchange, checks or other evidences of debt in the  
16 same premises where the licensee is cashing checks. For purposes of  
17 this subsection, a licensee shall be deemed to have made a loan if the  
18 licensee cashes a check deposited by a customer whose check cashing  
19 privileges were required to be suspended under subsection j. of section  
20 15 of this act. Notwithstanding the provisions of this subsection, any  
21 person licensed as a pawnbroker in this State shall be eligible to  
22 qualify as a licensee under this act, and upon being so licensed, may  
23 conduct business as a check casher in the same premises in which that  
24 person conducts business as a pawnbroker;
- 25 f. Engage in business at an office or mobile office other than a  
26 business which primarily provides financial services, except as  
27 otherwise provided pursuant to subsection e. of this section;
- 28 g. Violate any provision of this act or regulations promulgated  
29 pursuant to this act; or
- 30 h. Fail to comply with any order of the commissioner.  
31 (cf: P.L.1993, c.383, s.18)】<sup>1</sup>

32  
33 <sup>1</sup>【9.】 8.<sup>1</sup> Section 19 of P.L.1993, c.383 (C.17:15A-48) is  
34 amended to read as follows:

35 19. a. 【The】 Except as provided in subsection c. of this section,  
36 the commissioner may revoke or suspend a license if, after notice and  
37 hearing, the commissioner determines that the licensee:

- 38 (1) Has violated any provision of this act or any order, rule, or  
39 regulation made or issued pursuant to this act or has violated any other  
40 law in connection with the operation of the check cashing business;
- 41 (2) Has failed to pay any fee, penalty, or other lawful levy  
42 imposed by the commissioner;
- 43 (3) Has withheld information or made a material misstatement in  
44 the application for the license, or in any branch application or in any  
45 other submission to the department;
- 46 (4) Has been convicted of an offense involving breach of trust,



1 moral turpitude or fraudulent or dishonest dealing, or has had a final  
2 judgment entered against him in a civil action upon grounds of fraud,  
3 misrepresentation or deceit;

4 (5) Is associating with, or has associated with, any person who has  
5 been convicted of an offense involving breach of trust, moral turpitude  
6 or fraudulent or dishonest dealing, or who has had a final judgment  
7 entered against him in a civil action upon grounds of fraud,  
8 misrepresentation or deceit;

9 (6) Has become insolvent or has acted in a way that indicates the  
10 licensee's check cashing business would not be operated in a financially  
11 responsible manner;

12 (7) Has demonstrated unworthiness, incompetence, bad faith or  
13 dishonesty in transacting business or otherwise; or

14 (8) Has engaged in any other conduct which would be deemed by  
15 the commissioner to be grounds to deny, revoke or suspend a license.

16 b. Pending an investigation or a hearing for the suspension or  
17 revocation of any license issued pursuant to this act, the commissioner  
18 may temporarily suspend such license for a period not to exceed 90  
19 days, if the commissioner finds that such suspension is in the public  
20 interest.

21 c. The commissioner shall revoke a license if, after notice and a  
22 hearing, the commissioner determines that the licensee was convicted  
23 of a crime pursuant to the provisions of P.L.1994, c.121 (C.2C:21-23  
24 et. seq.) or any other crime defined in chapter 20 or chapter 21 of Title  
25 2C of the New Jersey Statutes.

26 d. A licensee and the probation department shall, not later than 10  
27 days after the entry of a judgment of conviction or the imposition of  
28 sentence, whichever first occurs, notify the commissioner of a  
29 licensee's conviction of any criminal offense.

30 e. For the purposes of this section, a conviction exists if the  
31 person has been convicted under the laws of this State, the United  
32 States or another state for an offense that is substantially similar to the  
33 offenses enumerated in this section.

34 (cf: P.L.1993, c.383, s.19)

35

36 <sup>1</sup>**[10.] 9.** Section 20 of P.L.1993, c.383 (C.17:15A-49) is  
37 amended to read as follows:

38 20. a. Any person who knowingly cashes a check for  
39 consideration without having first obtained a license as required by  
40 section 3 of **[this act]** P.L.1993, c.383 (C.17:15A-32) shall be **[liable**  
41 **for a penalty of not more than \$1,000 for each violation]** guilty of an  
42 offense. If the face value of the check is in an amount less than  
43 \$1,000.00 and the actor previously has not been convicted of an  
44 offense under this section, the actor shall be guilty of a disorderly  
45 persons offense. If the face value of the check is at least \$1,000.00  
46 but less than \$10,000.00 and the actor previously has not been

1 convicted of an offense under this section, the offense is a crime of the  
2 fourth degree. If the actor previously has been convicted of an  
3 offense under this section, the actor shall be guilty of a crime of the  
4 third degree. If the person conducts a transaction that would be  
5 required to be reported pursuant to the laws or regulations of this  
6 State had the actor obtained the license required by section 3 of  
7 P.L.1993, c.383 (C.17:15A-32), the actor shall be guilty of a crime of  
8 the third degree. Notwithstanding the provisions of N.J.S.2C:43-3 and  
9 in addition to any other disposition made pursuant to Title 2C of the  
10 New Jersey Statutes or any statute imposing sentences for crimes, any  
11 person convicted of any offense defined in this section may be  
12 sentenced to pay a fine not to exceed \$30,000.00. For the purposes  
13 of this section, each check cashed for consideration without a license  
14 shall constitute a separate violation.

15 b. (1) In addition to any civil or criminal <sup>1</sup>[penalty]penalties <sup>1</sup>  
16 that may be imposed, any person who cashes a check for consideration  
17 without having first obtained a license as required by section 3 of  
18 P.L.1993, c.383 (C.17:15A-32) shall be liable for a penalty of not  
19 more than \$1,000.00 for each violation. For the purposes of this  
20 paragraph, each check cashed for consideration without a license shall  
21 constitute a separate violation.

22 (2.) Any person who violates or causes to be violated any  
23 provision of this act or any order, rule or regulation made or issued  
24 pursuant to this act shall be liable for a penalty, in addition to all other  
25 penalties or forfeitures imposed by this or any other law, of not more  
26 than \$5,000 for each violation. Any person who shall aid or abet a  
27 violation shall be equally liable for such a penalty as may be imposed  
28 upon a principal violator. For the purpose of this  
29 [subsection]paragraph, a violation of any provision of this act or any  
30 order of the commissioner or rule or regulation promulgated by the  
31 commissioner pursuant thereto shall constitute a separate violation.

32 c. The commissioner may issue an order to any licensee who  
33 violates any provision of this act or regulation promulgated  
34 thereunder, ordering payment of the penalties provided in this act and  
35 corrective action concerning the violation. Any person aggrieved by  
36 any ruling, action, order, or notice of the commissioner shall be  
37 entitled to a hearing. The application for such a hearing shall be filed  
38 in writing with the commissioner within 15 days of receipt thereof.

39 d. Where any violation of any provision of this act is of a  
40 continuing nature, each day during which the violation remains  
41 uncorrected after the date fixed by the commissioner in any order or  
42 notice for the correction or termination of such continuing violation  
43 shall constitute a separate and distinct violation, except during the time  
44 when an appeal from such an order is being taken.

45 e. The commissioner is hereby authorized and empowered to  
46 compromise and settle any claim for a penalty under this section for an

1 amount that appears appropriate and equitable under the  
2 circumstances.

3 f. The civil penalties provided for in this section, if not paid to the  
4 commissioner within 30 days of their issuance, shall be collected in a  
5 civil action brought in the name of the commissioner pursuant to the  
6 provisions of "the penalty enforcement law," N.J.S.2A:58-1 et seq.

7 g. Penalties imposed pursuant to this act shall not diminish the  
8 remedies which may be available to complainants through private  
9 actions.

10 (cf: P.L.1993, c.383, s.20)

11

12 <sup>1</sup>**11.** (New section) Any person who knowingly cashes a check  
13 for consideration in violation of subsection a. of section 18 of  
14 P.L.1993, c.383 (C.17:15A-47) shall be guilty of a crime of the fourth  
15 degree. Notwithstanding the provisions of paragraph (2) of subsection  
16 b. of N.J.S.2C:43-3 and in addition to any other disposition made  
17 pursuant to Title 2C of the New Jersey Statutes or any statute  
18 imposing sentences for crimes or civil or administrative penalties or  
19 fines, any person convicted of the offense defined in this section also  
20 may be sentenced to pay of a fine not to exceed \$30,000.00.<sup>1</sup>

21

22 <sup>1</sup>**12.] 10.**<sup>1</sup> This act shall take effect immediately.

23

24

25

26

27 Amends "Check Cashers Regulatory Act," to make it a crime to cash  
28 a check for consideration without a license and requires the  
29 revocation of license under certain circumstances; amends "Casino  
30 Control Act," to require casino licensees to file suspicious transaction  
31 reports.

**SENATE, No. 1196**

**STATE OF NEW JERSEY**  
**208th LEGISLATURE**

INTRODUCED JUNE 15, 1998

**Sponsored by:**

**Senator WAYNE R. BRYANT**

**District 5 (Camden and Gloucester)**

**SYNOPSIS**

Amends “Check Cashers Regulatory Act” to require the revocation of license under certain circumstances.

**CURRENT VERSION OF TEXT**

As introduced.



S1196 BRYANT

2

1 AN ACT concerning check cashing businesses and amending P.L.1993,  
2 c.383.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 19 of P.L.1993, c.383 (C.17:15A-48) is amended to read  
8 as follows:

9 19. a. **[The]** Except as provided in subsection c. of this section,  
10 the commissioner may revoke or suspend a license if, after notice and  
11 hearing, the commissioner determines that the licensee:

12 (1) Has violated any provision of this act or any order, rule, or  
13 regulation made or issued pursuant to this act or has violated any other  
14 law in connection with the operation of the check cashing business;

15 (2) Has failed to pay any fee, penalty, or other lawful levy  
16 imposed by the commissioner;

17 (3) Has withheld information or made a material misstatement in  
18 the application for the license, or in any branch application or in any  
19 other submission to the department;

20 (4) Has been convicted of an offense involving breach of trust,  
21 moral turpitude or fraudulent or dishonest dealing, or has had a final  
22 judgment entered against him in a civil action upon grounds of fraud,  
23 misrepresentation or deceit;

24 (5) Is associating with, or has associated with, any person who  
25 has been convicted of an offense involving breach of trust, moral  
26 turpitude or fraudulent or dishonest dealing, or who has had a final  
27 judgment entered against him in a civil action upon grounds of fraud,  
28 misrepresentation or deceit;

29 (6) Has become insolvent or has acted in a way that indicates the  
30 licensee's check cashing business would not be operated in a financially  
31 responsible manner;

32 (7) Has demonstrated unworthiness, incompetence, bad faith or  
33 dishonesty in transacting business or otherwise; or

34 (8) Has engaged in any other conduct which would be deemed  
35 by the commissioner to be grounds to deny, revoke or suspend a  
36 license.

37 b. Pending an investigation or a hearing for the suspension or  
38 revocation of any license issued pursuant to this act, the commissioner  
39 may temporarily suspend such license for a period not to exceed 90  
40 days, if the commissioner finds that such suspension is in the public  
41 interest.

42 c. The commissioner shall revoke a license if, after notice and a  
43 hearing, the commissioner determines that the licensee was convicted

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**S1196 BRYANT**

3

1 of a crime pursuant to the provisions of P.L.1994, c.121 (C.2C:21-  
2 23 et. seq.).  
3 (cf: P.L.1993, c.383, s.19)

4

5 2. This act shall take effect immediately .

6

7

8

**STATEMENT**

9

10 This bill would amend the "Check Cashers Regulatory Act of 1993"  
11 to require the commissioner to revoke the license of any licensee who  
12 has been convicted of money laundering under the provisions of  
13 N.J.S.2C:21-23 et. seq.

# SENATE JUDICIARY COMMITTEE

## STATEMENT TO

### SENATE COMMITTEE SUBSTITUTE FOR **SENATE, Nos. 1196, 1197 and 1221**

# **STATE OF NEW JERSEY**

DATED: JANUARY 21, 1999

The Senate Judiciary Committee reports favorably a Senate Committee Substitute for Senate Bill Nos. 1196, 1197, and 1221.

This bill amends "The Check Cashers Regulatory Act of 1993," N.J.S.A.17:15A-30 et seq., and supplements the "Casino Control Act," N.J.S.A. 5:12-1 et seq., to strengthen this statutory framework in an attempt to address the Statewide problem of money laundering.

Sections 1 through 6 of the bill supplements the "Casino Control Act," N.J.S.A.5:12-1 et seq., to require casinos to notify the Division of Gaming Enforcement when a suspicious transaction has transpired. Under the provisions of the bill a holder of a casino license or any person acting on behalf thereof would be required to make a report to the Division of Gaming Enforcement of any suspicious transaction. The bill defines "suspicious transactions" as the acceptance of cash or the redeeming of chips or markers involving or aggregating \$3,000 if the person knows, suspects or has reason to suspect that the transaction (a) involves funds derived from illegal activities or is intended or conducted in order to hide or disguise funds or assets derived from illegal activities; (b) is part of a plan to violate or evade any law or regulation or to avoid any transaction reporting requirement under the law or regulations of this State or the United States, including a plan to structure a series of transactions to avoid any transaction reporting requirement under the laws or regulations of this State or the United States; (c) or has no business or other apparent lawful purpose or is not the sort of transaction in which a person would normally be expected to engage and the licensee knows of no reasonable explanation for the transaction after examining the available facts, including the background and possible purpose of the transaction. Any person who knowingly fails to file a report or who causes anyone to fail to file a report would be guilty of a crime of the third degree. A crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of up to \$15,000.00, or both.

The bill would also require the division to maintain a record of all the reports made for a period of five years. These reports would be made available to any State or federal law enforcement agency upon

written request and without necessity of subpoena. The bill would also authorize the director to promulgate rules and regulations to effectuate the purposes of the bill. In addition, the bill provides that the director may determine that compliance with the federal reporting requirements satisfies this act because if such federal reporting requirements are substantially similar to those under this bill and under the regulations promulgated under this bill, the division would have access to the federal reports through the Financial Crimes Enforcement Network (FinCEN).

The bill also prohibits any person, who is required to file a report under the provisions of the bill, from notifying any person involved in the transaction that the transaction has been reported. If a person violates the provisions of this section, he would be guilty of a crime of the fourth degree. The bill would also make immune from civil liability any licensee who, in good faith, makes such a report, regardless of whether the transaction is later determined to be suspicious.

Presently several states such as Colorado, Illinois, Indiana, Missouri and Nevada have promulgated regulations requiring casinos to record suspicious transactions.

Sections 7 through 11 of the bill amends the "Check Cashers Regulatory Act of 1993."

Sections 7 and 8 specifically delete provisions allowing licensed check cashers to cash checks payable to corporations or partnerships.

Section 9 of the bill amends N.J.S.A.17:15A-48 and authorizes the commissioner to revoke the license of any person who has been convicted of money laundering or any theft, forgery or fraudulent crimes. The licensee and the probation department would be required to notify the commissioner of the conviction no later than 10 days after the entry of the judgment of the conviction or the imposition of the sentence.

Section 10, amends N.J.S.A.17:15A-49 to make it a crime for any person to "knowingly" cash a check for consideration without having a license to do so. A gradation schedule for this criminal violation would be established depending upon the face value of the check cashed: if the face value of the check is an amount less than \$1,000 and the actor previously has not been convicted of an offense, it would be a disorderly persons offense; if the face value of the check is at least \$1,000 but less than \$10,000 and the actor previously has not been convicted of an offense, it would be a crime of the fourth degree; and if the actor previously has been convicted of an offense, it would be a crime of the third degree. It would also be a crime of the third degree if a person conducts a transaction that would have been required to be reported pursuant to the laws or regulations of this State had that person obtained the license required by section 3 of P.L.1993, c.383 (C.17:15A-32). Section 10 also provides for a criminal fine not to exceed \$30,000.00 for a violation of the act. Section 10 further provides that in addition to any criminal penalty that



may be imposed, any person who cashes a check for consideration without having first obtained a license would be liable for a penalty of not more than \$1,000.00 for each violation.

Section 11 provides that a licensed check cashier who cashes a check in violation of N.J.S.A. 17:15A-47 is guilty of a crime of the fourth degree and subject to a fine of up to \$30,000.00.

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE, Nos. 1196, 1197 and 1221**

with Assembly Floor Amendments  
(Proposed By Assemblyman COHEN)

ADOPTED: JANUARY 28, 1999

This bill amends "The Check Cashers Regulatory Act of 1993," N.J.S.A.17:15A-30 et seq., and supplements the "Casino Control Act," N.J.S.A.5:12-1 et seq., to strengthen this statutory framework in an attempt to address the Statewide problem of money laundering.

These floor amendments restore paragraphs (1) and (2) of subsection l. in Section 7 of the bill, which required the licensee to maintain a recordkeeping system of any checks cashed by the licensee which were made payable to a payee other than a natural person (ie. a corporation). The amendments add new language to this section requiring the licensee to also maintain a record of any checks cashed in the amount of \$2,500.00 or more.

The floor amendments also delete Sections 8 and 11 of the bill which would have prohibited a licensee from cashing corporate checks.

The remaining amendments are technical in nature.

# FISCAL NOTE

[First Reprint]

SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE No. 1196, 1197 and 1221**  
**STATE OF NEW JERSEY**  
**208th LEGISLATURE**

DATED: JANUARY 18, 2000

Senate Committee Substitute for Senate Bill Nos. 1196, 1197 and 1221 (1R) of 1999 amends "The Check Cashers Regulatory Act of 1993," and supplements the "Casino Control Act", to strengthen this statutory framework in an attempt to address the Statewide problem of money laundering.

Under the bill, a holder of a casino license or any person acting on behalf thereof would be required to make a report to the Division of Gaming Enforcement of any suspicious transaction. A suspicious transaction is defined as the acceptance of cash or the redeeming of chips or markers involving or aggregating \$3,000 if the person knows, suspects or has reason to suspect that the transaction (a) involves funds derived from illegal activities or is intended or conducted in order to hide or disguise funds or assets derived from illegal activities; (b) is part of a plan to violate or evade any law or regulation or to avoid any transaction reporting requirement under the law or regulations of New Jersey or the United States, including a plan to structure a series of transactions to avoid any transaction reporting requirement under the laws or regulations of New Jersey or the United States; (c) or has no business or other apparent lawful purpose or is not the sort of transaction in which a person would normally be expected to engage and the licensee knows of no reasonable explanation for the transaction after examining the available facts, including the background and possible purpose of the transaction. Any person who knowingly fails to file a report or who causes anyone to fail to file a report would be guilty of a crime of the third degree. A crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of up to \$15,000.00, or both.

The bill would also require the division to maintain a record of all the reports made for a period of five years.

The Administrative Office of the Courts (AOC) states that it does not collect data on the number of convictions under the Casino

Control Act nor does it collect data on the number of convictions for N.J.S.A.17:15A-49. The AOC further notes that in 1997 three people were convicted of laundering money amounting to more than \$75,000 (second degree offense) and 13 people were convicted of laundering less than \$75,000 (third degree offense).

The Office of Legislative Services concurs.

This fiscal note has been prepared pursuant to P.L.1980, c.67.

# SENATE, No. 1197

## STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED JUNE 15, 1998

**Sponsored by:**

**Senator WAYNE R. BRYANT**

**District 5 (Camden and Gloucester)**

**Senator GARRY J. FURNARI**

**District 36 (Bergen, Essex and Passaic)**

**Co-Sponsored by:**

**Senator Baer**

**SYNOPSIS**

Makes it a crime of the third degree to cash a check for consideration without a license.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/29/1999)**

S1197 BRYANT, FURNARI

2

1 AN ACT concerning the regulation of check cashing businesses and  
2 amending P.L.1993, c.383.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 20 of P.L. 1993, c. 383 (C.17:15A-49) is amended to  
8 read as follows:

9 20. a. Any person who knowingly cashes a check for consideration  
10 without having first obtained a license as required by section 3 of this  
11 act shall be **[**liable for a penalty of not more than \$1,000 for each  
12 violation**]**shall be guilty of a crime of the third degree. For the  
13 purposes of this section, each check cashed for consideration without  
14 a license shall constitute a separate violation.

15 b. Any person who violates or causes to be violated any provision  
16 of this act or any order, rule or regulation made or issued pursuant to  
17 this act shall be liable for a penalty, in addition to all other penalties or  
18 forfeitures imposed by this or any other law, of not more than \$5,000  
19 for each violation. Any person who shall aid or abet a violation shall  
20 be equally liable for such a penalty as may be imposed upon a principal  
21 violator. For the purpose of this subsection, a violation of any  
22 provision of this act or any order of the commissioner or rule or  
23 regulation promulgated by the commissioner pursuant thereto shall  
24 constitute a separate violation.

25 c. The commissioner may issue an order to any licensee who  
26 violates any provision of this act or regulation promulgated  
27 thereunder, ordering payment of the penalties provided in this act and  
28 corrective action concerning the violation. Any person aggrieved by  
29 any ruling, action, order, or notice of the commissioner shall be  
30 entitled to a hearing. The application for such a hearing shall be filed  
31 in writing with the commissioner within 15 days of receipt thereof.

32 d. Where any violation of any provision of this act is of a  
33 continuing nature, each day during which the violation remains  
34 uncorrected after the date fixed by the commissioner in any order or  
35 notice for the correction or termination of such continuing violation  
36 shall constitute a separate and distinct violation, except during the time  
37 when an appeal from such an order is being taken.

38 e. The commissioner is hereby authorized and empowered to  
39 compromise and settle any claim for a penalty under this section for an  
40 amount that appears appropriate and equitable under the  
41 circumstances.

42 f. The civil penalties provided for in this section, if not paid to the  
43 commissioner within 30 days of their issuance, shall be collected in a

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**S1197 BRYANT, FURNARI**

3

1 civil action brought in the name of the commissioner pursuant to the  
2 provisions of "the penalty enforcement law," N.J.S.2A:58-1 et seq.

3 g. Penalties imposed pursuant to this act shall not diminish the  
4 remedies which may be available to complainants through private  
5 actions.

6 (cf: P.L.1993,c.383,s.20)

7

8 2. This act shall take effect immediately .

9

10

11

STATEMENT

12

13 This bill would make it a crime of the third degree for any person  
14 to knowingly cash a check for consideration without first having  
15 obtained a license to do so. A crime of the third degree is punishable  
16 by a term of imprisonment of three to five years, a fine of up to  
17 \$15,000 or both.

**SENATE, No. 1221**

**STATE OF NEW JERSEY**  
**208th LEGISLATURE**

INTRODUCED JUNE 22, 1998

**Sponsored by:**

**Senator WAYNE R. BRYANT**

**District 5 (Camden and Gloucester)**

**Senator GARRY J. FURNARI**

**District 36 (Bergen, Essex and Passaic)**

**SYNOPSIS**

Amends "Checks Cashers Regulatory Act" to prohibit certain transactions; provides for criminal penalties.

**CURRENT VERSION OF TEXT**

As introduced.





S1221 BRYANT, FURNARI

2

1 AN ACT concerning check cashing businesses and amending P.L.1993,  
2 c.383.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 15 of P.L. 1993, c. 383 (C.17:15A-44) is amended to  
8 read as follows:

9 15. A licensee shall:

10 a. Conspicuously display at each office, limited branch office or  
11 mobile office it operates the original license, certificate or branch  
12 authorization, as appropriate, issued by the commissioner.

13 b. Conspicuously display all signs and notifications which the  
14 commissioner may require.

15 c. Provide each customer, at the time of a transaction, with a  
16 record of each transaction as specified by regulation.

17 d. Produce a photographic record, on such equipment as the  
18 commissioner may prescribe, of all of the checks cashed at the place  
19 of business and maintain a true copy of each such record.

20 e. Endorse each check cashed with the actual name under which  
21 the licensee is doing business and legibly write or stamp the words  
22 "Licensed Casher of Checks" immediately after or below the licensee's  
23 name.

24 f. Conduct all check cashing business through a bank account or  
25 accounts which are used solely for that purpose, and which have been  
26 identified as such to the department.

27 g. Inform the department if any bank account number changes or  
28 if any bank account is closed.

29 h. Maintain adequate records of its check cashing business as  
30 prescribed by the commissioner by regulation.

31 i. Retain for five years essential records, and retain all other  
32 records for a shorter period as prescribed by the commissioner by  
33 regulation. Such records shall be separate from the records of other  
34 businesses in which the licensee may be engaged. Although separate  
35 records are required, it is not required that the licensee's check cashing  
36 business have a different legal identity from other businesses in which  
37 the licensee is engaged.

38 j. Suspend for at least six months the check cashing privileges of  
39 any customer who cashes, in any one calendar year, more than three  
40 checks which are returned by the payor bank because of insufficient  
41 funds, and notify the department in writing of the name of such  
42 customer and the action taken, except that for the purposes of this  
43 subsection, two or more checks of a single maker which are returned

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 because of insufficient funds shall be counted as one check provided  
2 they were cashed the same day and deposited in the licensee's bank  
3 account on the same banking day.

4 k. Maintain at all times a capital or net worth of at least \$50,000  
5 for the operation of the licensee's check cashing business at each office  
6 and mobile office, and maintain at all times liquid assets of at least  
7 \$50,000 for the operation of the licensee's check cashing business at  
8 each office and mobile office.

9 1. [(1) Maintain on its premises, a record keeping system by which  
10 a licensee may track, and provide for inspection at the request of the  
11 commissioner, checks which the licensee cashed and which were made  
12 payable to a payee other than a natural person;

13 (2) The record keeping system required pursuant to paragraph (1)  
14 of this subsection l. shall include, but not be limited to, the following  
15 information:

16 (a) the date of the transaction;

17 (b) the name of the payee;

18 (c) the federal tax payer identification number of the payee;

19 (d) the face amount of the check;

20 (e) the date of the check;

21 (f) the name or names of those presenting the check for payment;

22 (g) the name of the financial institution on which the check is  
23 drawn and the financial institution's transit routing number; and

24 (h) the amount of the fee charged. ] Deleted by amendment,  
25 P.L. c. (C. )(now pending before the Legislature as this bill).

26 m. File with the Attorney General of New Jersey a duplicate copy  
27 of any report a licensee is required to file regarding business  
28 conducted in this State pursuant to 31 U.S.C. s.5311 et seq. and 31  
29 C.F.R. s.103 et seq.

30 n. Supervise employees engaged in the operation of the check  
31 cashing business to ensure the business is conducted lawfully and  
32 pursuant to the provisions of this act and any order, rule or regulation  
33 made or issued pursuant to this act.

34 (cf: P.L.1993, c.383, s.15)

35

36 2. Section 18 of P.L. 1993, c. 383 (C.17:15A-47) is amended to  
37 read as follows:

38 18. No licensee, or any person acting on behalf of a licensee, shall:

39 a. Cash a check which is made payable to a payee which is other  
40 than a natural person [unless the licensee has on file a corporate  
41 resolution or other appropriate documentation indicating that the  
42 corporation, partnership or other entity has authorized the presentment  
43 of a check on its behalf and the federal taxpayer identification number  
44 of the corporation, partnership or other entity];

45 b. Cash a check for anyone other than the payee named on the face  
46 of the check, except that the commissioner may, by regulation,

1 establish exceptions to this prohibition;

2 c. Cash or advance any money on a postdated check;

3 d. Fail to give each customer at the end of each transaction a  
4 receipt showing the amount of the check which was cashed, the  
5 amount which was charged for cashing the check, and the amount of  
6 cash which the customer was given;

7 e. Engage in the business of making loans of money, credit, goods  
8 or things or discounting or buying of notes, bills of exchange, checks  
9 or other evidences of debt, or conduct, or allow to be conducted, a  
10 loan business or the negotiation of loans or the discounting or buying  
11 of notes, bills of exchange, checks or other evidences of debt in the  
12 same premises where the licensee is cashing checks. For purposes of  
13 this subsection, a licensee shall be deemed to have made a loan if the  
14 licensee cashes a check deposited by a customer whose check cashing  
15 privileges were required to be suspended under subsection j. of section  
16 15 of this act. Notwithstanding the provisions of this subsection, any  
17 person licensed as a pawnbroker in this State shall be eligible to  
18 qualify as a licensee under this act, and upon being so licensed, may  
19 conduct business as a check casher in the same premises in which that  
20 person conducts business as a pawnbroker;

21 f. Engage in business at an office or mobile office other than a  
22 business which primarily provides financial services, except as  
23 otherwise provided pursuant to subsection e. of this section;

24 g. Violate any provision of this act or regulations promulgated  
25 pursuant to this act; or

26 h. Fail to comply with any order of the commissioner.

27 (cf: P.L.1993, c.383, s.18)

28

29 3. (New section) Any person who cashes a check for consideration  
30 in violation of subsections a. of Section 18 of P.L.1993, c.383  
31 (C.17:15A-47) shall be guilty of a crime of the fourth degree.

32

33 4. This act shall take effect immediately.

34

35

36

#### STATEMENT

37

38 Under the current provisions of the "Check Cashers Regulatory  
39 Act", N.J.S.17:15A-30 et seq., a licensee is authorized to cash a  
40 check for a person even though the check was made payable to a  
41 corporation; provided that the licensee has on file a corporation  
42 resolution or other appropriate document which authorized such  
43 transaction.

44 This bill would omit this provision from the law and make it a crime  
45 of the fourth degree for a check cashing licensee to cash a check which  
46 is made out to a corporation. A crime of the fourth degree is

**S1221 BRYANT, FURNARI**

5

- 1 punishable by a term of imprisonment of up to 18 months, a fine of up
- 2 to \$10,000.00, or both.

# ASSEMBLY, No. 2174

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## STATE OF NEW JERSEY

### 208th LEGISLATURE

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INTRODUCED JUNE 11, 1998

**Sponsored by:**

**Assemblyman NEIL M. COHEN**

**District 20 (Union)**

**Assemblyman PAUL DIGAETANO**

**District 36 (Bergen, Essex and Passaic)**

**SYNOPSIS**

Makes it a crime of the third degree to cash a check for consideration without a license.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the regulation of check cashing businesses and  
2 amending P.L.1993, c.383.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 20 of P.L.1993, c.383 (C.17:15A-49) is amended to  
8 read as follows:

9 20. a. Any person who knowingly cashes a check for consideration  
10 without having first obtained a license as required by section 3 of this  
11 act shall be **[liable for a penalty of not more than \$1,000 for each**  
12 **violation]**shall be guilty of a crime of the third degree. For the  
13 purposes of this section, each check cashed for consideration without  
14 a license shall constitute a separate violation.

15 b. Any person who violates or causes to be violated any provision  
16 of this act or any order, rule or regulation made or issued pursuant to  
17 this act shall be liable for a penalty, in addition to all other penalties or  
18 forfeitures imposed by this or any other law, of not more than \$5,000  
19 for each violation. Any person who shall aid or abet a violation shall  
20 be equally liable for such a penalty as may be imposed upon a principal  
21 violator. For the purpose of this subsection, a violation of any  
22 provision of this act or any order of the commissioner or rule or  
23 regulation promulgated by the commissioner pursuant thereto shall  
24 constitute a separate violation.

25 c. The commissioner may issue an order to any licensee who  
26 violates any provision of this act or regulation promulgated  
27 thereunder, ordering payment of the penalties provided in this act and  
28 corrective action concerning the violation. Any person aggrieved by  
29 any ruling, action, order, or notice of the commissioner shall be  
30 entitled to a hearing. The application for such a hearing shall be filed  
31 in writing with the commissioner within 15 days of receipt thereof.

32 d. Where any violation of any provision of this act is of a  
33 continuing nature, each day during which the violation remains  
34 uncorrected after the date fixed by the commissioner in any order or  
35 notice for the correction or termination of such continuing violation  
36 shall constitute a separate and distinct violation, except during the time  
37 when an appeal from such an order is being taken.

38 e. The commissioner is hereby authorized and empowered to  
39 compromise and settle any claim for a penalty under this section for an  
40 amount that appears appropriate and equitable under the  
41 circumstances.

42 f. The civil penalties provided for in this section, if not paid to the  
43 commissioner within 30 days of their issuance, shall be collected in a

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 civil action brought in the name of the commissioner pursuant to the  
2 provisions of "the penalty enforcement law," N.J.S.2A:58-1 et seq.

3 g. Penalties imposed pursuant to this act shall not diminish the  
4 remedies which may be available to complainants through private  
5 actions.

6 (cf: P.L.1993,c.383,s.20)

7

8 2. This act shall take effect immediately .

9

10

11

STATEMENT

12

13 This bill would make it a crime of the third degree for any person  
14 to knowingly cash a check for consideration without first having  
15 obtained a license to do so. A crime of the third degree is punishable  
16 by a term of imprisonment of three to five years, a fine of up to  
17 \$15,000 or both.

# ASSEMBLY JUDICIARY COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 2174**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: NOVEMBER 16, 1998

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 2174.

Under the current provisions of the "Check Cashers Regulatory Act of 1993" any person who cashes a check for consideration without having a license to do so is liable for a penalty of \$1,000 for each violation. In its original form, this bill amended that section to make it a crime of the third degree for any person to knowingly cash a check for consideration without having a license to do so.

The committee amendments would retain that language in the current law which imposes a \$1,000 civil penalty for cashing a check for consideration without having a license. The committee amendments also change the gradation scheme for the criminal penalty for knowingly cashing a check for consideration without having a license to do so. The amendments would establish a gradation schedule for a criminal violation of the act which would depend on the face value of the check cashed. Specifically, the amendments would make it a disorderly persons offense if the face value of the check is in an amount less than \$1,000 and the actor previously has not been convicted of an offense under this section; a crime of the fourth degree if the face value of the check is at least \$1,000 but less than \$10,000 and the actor previously has not been convicted of an offense under this section; and a crime of the third degree if the face value of the check is \$10,000 or more or the actor previously has been convicted of an offense under the section. This bill would also make it a crime of the third degree if the person conducts a transaction that would be required to be reported pursuant to the laws or regulations of this State had that person obtained the license required by section 3 of P.L.1993, c.383 (C.17:15A-32).

A disorderly persons offense is punishable by a term of imprisonment for up to six months, a fine of up to \$1,000, or both. A crime of the fourth degree is punishable by a term of imprisonment for up to 18 months, a fine of up to \$10,000, or both; a crime of the third degree by a term for three to five years, a fine of up to \$15,000, or both.

In addition, the committee amendments provide for a criminal fine not to exceed \$30,000.00 for a violation of the act.



STATEMENT TO  
ASSEMBLY SUBSTITUTE FOR  
**ASSEMBLY, No. 2174**

with Assembly Floor Amendments  
(Proposed By Assemblyman COHEN)

ADOPTED: JANUARY 12, 1999

This substitute amends "The Check Cashers Regulatory Act of 1993," N.J.S.A.17:15A-30 et seq., to strengthen this statutory framework in an attempt to address the Statewide problem of money laundering.

These floor amendments supplement the "Casino Control Act," N.J.S.A.5:12-1 et seq., by inserting new sections 1 through 6. These amendments would require casinos to notify the Division of Gaming Enforcement when a suspicious transaction has transpired. "Suspicious transactions" is defined as the acceptance of cash or the redeeming of chips or markers involving or aggregating \$3,000 if the person knows, suspects or has reason to suspect that the transaction (a) involves funds derived from illegal activities or is intended or conducted in order to hide or disguise funds or assets derived from illegal activities; (b) is part of a plan to violate or evade any law or regulation or to avoid any transaction reporting requirement under the law or regulations of this State or the United States, including a plan to structure a series of transactions to avoid any transaction reporting requirement under the laws or regulations of this State or the United States; (c) or has no business or other apparent lawful purpose or is not the sort of transaction in which a person would normally be expected to engage and the licensee knows of no reasonable explanation for the transaction after examining the available facts, including the background and possible purpose of the transaction. Any person who knowingly fails to file a report or who causes anyone to fail to file a report would be guilty of a crime of the third degree. A crime of the third degree is punishable by a term of imprisonment of three to five years, a fine of up to \$15,000.00, or both.

Under the provisions of the floor amendments the division would be required to maintain a record of all the reports made for a period of five years. These reports would be made available to any State or federal law enforcement agency upon written request and without necessity of subpoena. The director would be authorized to promulgate rules and regulations to effectuate the purposes of the substitute. In addition, the director may determine that compliance with the federal reporting requirements satisfies the act because such federal reporting requirements are substantially similar to those under the substitute, the division would have access to the federal reports

through the Financial Crimes Enforcement Network (FinCEN).

The amendments prohibit any person, who is required to file a report under the provisions of the bill, from notifying any person involved in the transaction that the transaction has been reported. If a person violates the provisions of this section, he would be guilty of a crime of the fourth degree. The amendments would also immune from civil liability any licensee who, in good faith, makes such a report, regardless of whether the transaction is later determined to be suspicious. Presently several states such as Colorado, Illinois, Indiana, Missouri and Nevada have promulgated regulations requiring casinos to record suspicious transactions.

The floor amendments would also add new section 7 to the bill which amends the "Check Cashers Regulatory Act of 1993," to require the licensee to maintain, as part of its record keeping duties, a photograph, photostat, duplicate or any other reproduction of the front and back of the fully endorsed check. The licensee would also be required to make this record keeping system available to any State or federal law enforcement agency upon written request and without necessity of subpoena.

STATEMENT TO

[First Reprint]

ASSEMBLY SUBSTITUTE FOR  
**ASSEMBLY, No. 2174**

with Assembly Floor Amendments  
(Proposed By Assemblyman COHEN)

ADOPTED: JANUARY 28, 1999

This bill amends "The Check Cashers Regulatory Act of 1993," N.J.S.A.17:15A-30 et seq., and supplements the "Casino Control Act," N.J.S.A.5:12-1 et seq., to strengthen this statutory framework in an attempt to address the Statewide problem of money laundering.

These floor amendments add language to Section 7 of the bill requiring check cashers to maintain a record of any checks cashed in the amount of \$2,500.00 or more.

# ASSEMBLY, No. 2175

## STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED JUNE 11, 1998

**Sponsored by:**

**Assemblyman NEIL M. COHEN**

**District 20 (Union)**

**Assemblyman PAUL DIGAETANO**

**District 36 (Bergen, Essex and Passaic)**

**SYNOPSIS**

Amends "Check Cashers Regulatory Act" to require the revocation of license under certain circumstances.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning check cashing businesses and amending  
2 P.L.1993, c.383.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 19 of P.L.1993, c.383 (C.17:15A-48) is amended to read  
8 as follows:

9 19. a. **[The]** Except as provided in subsection c. of this section,  
10 the commissioner may revoke or suspend a license if, after notice and  
11 hearing, the commissioner determines that the licensee:

12 (1) Has violated any provision of this act or any order, rule, or  
13 regulation made or issued pursuant to this act or has violated any other  
14 law in connection with the operation of the check cashing business;

15 (2) Has failed to pay any fee, penalty, or other lawful levy imposed  
16 by the commissioner;

17 (3) Has withheld information or made a material misstatement in  
18 the application for the license, or in any branch application or in any  
19 other submission to the department;

20 (4) Has been convicted of an offense involving breach of trust,  
21 moral turpitude or fraudulent or dishonest dealing, or has had a final  
22 judgment entered against him in a civil action upon grounds of fraud,  
23 misrepresentation or deceit;

24 (5) Is associating with, or has associated with, any person who has  
25 been convicted of an offense involving breach of trust, moral turpitude  
26 or fraudulent or dishonest dealing, or who has had a final judgment  
27 entered against him in a civil action upon grounds of fraud,  
28 misrepresentation or deceit;

29 (6) Has become insolvent or has acted in a way that indicates the  
30 licensee's check cashing business would not be operated in a financially  
31 responsible manner;

32 (7) Has demonstrated unworthiness, incompetence, bad faith or  
33 dishonesty in transacting business or otherwise; or

34 (8) Has engaged in any other conduct which would be deemed by  
35 the commissioner to be grounds to deny, revoke or suspend a license.

36 b. Pending an investigation or a hearing for the suspension or  
37 revocation of any license issued pursuant to this act, the commissioner  
38 may temporarily suspend such license for a period not to exceed 90  
39 days, if the commissioner finds that such suspension is in the public  
40 interest.

41 c. The commissioner shall revoke a license if, after notice and a  
42 hearing, the commissioner determines that the licensee was convicted

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1 of a crime pursuant to the provisions of P.L.1994, c.121 (C.2C:21-23  
2 et. seq.).  
3 (cf: P.L.1993, c.383, s.19)

4

5 2. This act shall take effect immediately .

6

7

8

STATEMENT

9

10 This bill would amend the "Check Cashers Regulatory Act of 1993"  
11 to require the commissioner to revoke the license of any licensee who  
12 has been convicted of money laundering under the provisions of N.J.S.  
13 2C:21-23 et. seq.

# ASSEMBLY, No. 2562

## STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED OCTOBER 29, 1998

**Sponsored by:**

**Assemblyman LEROY J. JONES, JR.**

**District 27 (Essex)**

**SYNOPSIS**

Amends "The Check Cashers Regulatory Act of 1993," to prohibit certain transactions; provides for criminal penalties.

**CURRENT VERSION OF TEXT**

As introduced.



A2562 JONES

2

1 AN ACT concerning check cashing businesses and amending P.L.1993,  
2 c.383.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 15 of P.L. 1993, c. 383 (C.17:15A-44) is amended to  
8 read as follows:

9 15. A licensee shall:

10 a. Conspicuously display at each office, limited branch office or  
11 mobile office it operates the original license, certificate or branch  
12 authorization, as appropriate, issued by the commissioner.

13 b. Conspicuously display all signs and notifications which the  
14 commissioner may require.

15 c. Provide each customer, at the time of a transaction, with a  
16 record of each transaction as specified by regulation.

17 d. Produce a photographic record, on such equipment as the  
18 commissioner may prescribe, of all of the checks cashed at the place  
19 of business and maintain a true copy of each such record.

20 e. Endorse each check cashed with the actual name under which  
21 the licensee is doing business and legibly write or stamp the words  
22 "Licensed Casher of Checks" immediately after or below the licensee's  
23 name.

24 f. Conduct all check cashing business through a bank account or  
25 accounts which are used solely for that purpose, and which have been  
26 identified as such to the department.

27 g. Inform the department if any bank account number changes or  
28 if any bank account is closed.

29 h. Maintain adequate records of its check cashing business as  
30 prescribed by the commissioner by regulation.

31 i. Retain for five years essential records, and retain all other  
32 records for a shorter period as prescribed by the commissioner by  
33 regulation. Such records shall be separate from the records of other  
34 businesses in which the licensee may be engaged. Although separate  
35 records are required, it is not required that the licensee's check cashing  
36 business have a different legal identity from other businesses in which  
37 the licensee is engaged.

38 j. Suspend for at least six months the check cashing privileges of  
39 any customer who cashes, in any one calendar year, more than three  
40 checks which are returned by the payor bank because of insufficient  
41 funds, and notify the department in writing of the name of such  
42 customer and the action taken, except that for the purposes of this  
43 subsection, two or more checks of a single maker which are returned  
44 because of insufficient funds shall be counted as one check provided

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**



1 they were cashed the same day and deposited in the licensee's bank  
2 account on the same banking day.

3 k. Maintain at all times a capital or net worth of at least \$50,000  
4 for the operation of the licensee's check cashing business at each office  
5 and mobile office, and maintain at all times liquid assets of at least  
6 \$50,000 for the operation of the licensee's check cashing business at  
7 each office and mobile office.

8 l. ~~[(1) Maintain on its premises, a record keeping system by which~~  
9 ~~a licensee may track, and provide for inspection at the request of the~~  
10 ~~commissioner, checks which the licensee cashed and which were made~~  
11 ~~payable to a payee other than a natural person;~~

12 (2) The record keeping system required pursuant to paragraph (1)  
13 of this subsection l. shall include, but not be limited to, the following  
14 information:

15 (a) the date of the transaction;

16 (b) the name of the payee;

17 (c) the federal tax payer identification number of the payee;

18 (d) the face amount of the check;

19 (e) the date of the check;

20 (f) the name or names of those presenting the check for payment;

21 (g) the name of the financial institution on which the check is  
22 drawn and the financial institution's transit routing number; and

23 (h) the amount of the fee charged.] ~~Deleted by amendment,~~  
24 ~~P.L. , c. (C. )(now pending before the Legislature as this bill).~~

25 m. File with the Attorney General of New Jersey a duplicate copy  
26 of any report a licensee is required to file regarding business  
27 conducted in this State pursuant to 31 U.S.C.s.5311 et seq. and ~~[31~~  
28 ~~C.F.R.s.103 et seq] 31 C.F.R.s.103.11 et seq.<sup>1</sup> .~~

29 n. Supervise employees engaged in the operation of the check  
30 cashing business to ensure the business is conducted lawfully and  
31 pursuant to the provisions of this act and any order, rule or regulation  
32 made or issued pursuant to this act.

33 (cf: P.L.1993, c.383, s.15)

34

35 2. Section 18 of P.L.1993, c.383 (C.17:15A-47) is amended to  
36 read as follows:

37 18. No licensee, or any person acting on behalf of a licensee, shall:

38 a. Cash a check which is made payable to a payee which is other  
39 than a natural person ~~[unless the licensee has on file a corporate~~  
40 ~~resolution or other appropriate documentation indicating that the~~  
41 ~~corporation, partnership or other entity has authorized the presentment~~  
42 ~~of a check on its behalf and the federal taxpayer identification number~~  
43 ~~of the corporation, partnership or other entity];~~

44 b. Cash a check for anyone other than the payee named on the face  
45 of the check, except that the commissioner may, by regulation,  
46 establish exceptions to this prohibition;

- 1 c. Cash or advance any money on a postdated check;
- 2 d. Fail to give each customer at the end of each transaction a  
3 receipt showing the amount of the check which was cashed, the  
4 amount which was charged for cashing the check, and the amount of  
5 cash which the customer was given;
- 6 e. Engage in the business of making loans of money, credit, goods  
7 or things or discounting or buying of notes, bills of exchange, checks  
8 or other evidences of debt, or conduct, or allow to be conducted, a  
9 loan business or the negotiation of loans or the discounting or buying  
10 of notes, bills of exchange, checks or other evidences of debt in the  
11 same premises where the licensee is cashing checks. For purposes of  
12 this subsection, a licensee shall be deemed to have made a loan if the  
13 licensee cashes a check deposited by a customer whose check cashing  
14 privileges were required to be suspended under subsection j. of section  
15 15 of this act. Notwithstanding the provisions of this subsection, any  
16 person licensed as a pawnbroker in this State shall be eligible to  
17 qualify as a licensee under this act, and upon being so licensed, may  
18 conduct business as a check casher in the same premises in which that  
19 person conducts business as a pawnbroker;
- 20 f. Engage in business at an office or mobile office other than a  
21 business which primarily provides financial services, except as  
22 otherwise provided pursuant to subsection e. of this section;
- 23 g. Violate any provision of this act or regulations promulgated  
24 pursuant to this act; or
- 25 h. Fail to comply with any order of the commissioner.  
26 (cf: P.L.1993, c.383, s.18)

27

28 3. (New section) Any person who cashes a check for consideration  
29 in violation of subsections a. of Section 18 of P.L.1993, c.383  
30 (C.17:15A-47) shall be guilty of a crime of the fourth degree.

31

32 4. This act shall take effect immediately.

33

34

35

#### STATEMENT

36

37 Under the current provisions of "The Check Cashers Regulatory  
38 Act", N.J.S.17:15A-30 et seq., a licensee is authorized to cash a  
39 check for a person even though the check was made payable to a  
40 corporation; provided that the licensee has on file a corporation  
41 resolution or other appropriate document which authorized such  
42 transaction.

43 This bill would omit this provision from the law and make it a crime  
44 of the fourth degree for a check cashing licensee to cash a check which  
45 is made out to a corporation. A crime of the fourth degree is  
46 punishable by a term of imprisonment of up to 18 months, a fine of up  
47 to \$10,000.00, or both.

**SENATE COMMITTEE SUBSTITUTE FOR  
SENATE BILL NOS. 1196, 1197 AND 1221**

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Committee Substitute for Senate Bill Nos. 1196, 1197 and 1221 with my recommendations for reconsideration.

Summary of Bill

This bill amends the "Check Cashers Regulatory Act of 1993" and the "Casino Control Act" in an effort to address the issue of money laundering through New Jersey casinos and check cashing establishments. The first significant portion of this bill requires casino employees to report suspicious transactions to the Division of Gaming Enforcement. The bill defines "suspicious transactions" as the acceptance of cash or the redeeming of chips or markers involving or aggregating \$3,000 if the casino employee "knows, suspects or has reason to suspect" that the transaction involves funds derived from illegal activities, that the transaction is part of a plan to violate or evade any law or regulation, or that the transaction has no business or other apparent lawful purpose. A person who fails to file a report would be guilty of a crime of the third degree, punishable by a term of imprisonment of three to five years, a fine of up to \$15,000, or both. A person who notifies a person involved in the suspicious transaction that the transaction has been reported to the Division of Gaming Enforcement will be guilty of a fourth degree crime. Any person who is required to file a suspicious transaction report is granted immunity from civil liability for filing the report if the report is filed in good faith.

The Division of Gaming Enforcement must maintain a record of all the reports filed for a period of five years. The reports must be made available to any state or federal law enforcement agency without the necessity of a subpoena.

The other significant portion of this bill amends the "Check Cashers Regulatory Act of 1993" in an effort to assist law enforcement personnel in prosecuting money laundering. All licensed check cashers must maintain on their premises a record keeping system that allows the licensee to track, and provide for inspection by the

Commissioner of Banking and Insurance, all checks made payable to an entity other than a natural person. Additionally, all checks cashed in the amount of \$2,500 or more must be included in the record keeping system. The record keeping system must include: the date of the transaction; the payee's name; the federal tax identification number of the payee; the face amount of the check; the date of the check; the name or names of the persons presenting the check for payment; the financial institution and routing number; the fee charged for cashing the check; and a photocopy of the front and back of the fully endorsed check. The intent behind this record keeping system is to give investigators a "paper trail" to trace the money laundered back to its source.

The Commissioner of Banking and Insurance must revoke the license of a check casher if, after notice and a hearing, the Commissioner determines the licensee was convicted of the crimes of money laundering, theft, forgery or fraud. The licensee and the probation department must notify the Commissioner within 10 days of the conviction.

The bill also makes it a crime to knowingly cash a check for consideration without a license. If the check is less than \$1,000.00, the unlicensed check casher would be subject to a disorderly persons offense. If the check is between \$1,000 and \$10,000, the action is a third or fourth degree crime depending on whether the person had a previous conviction for unlicensed check cashing. If the check is for \$10,000 or more, the offense would be a third degree crime. The bill further provides for criminal fines of up to \$30,000 and additional civil penalties of up to \$1,000 per violation.

#### B. Recommended Action

I commend the sponsors of this legislation and the sponsors of a related money laundering bill which I signed into law on February 16, 1999 (Assembly Bill No. 2171) for their efforts to combat money laundering in the State of New Jersey. My Administration has supported and enacted countless reforms to the criminal laws to ensure that the dedicated men and women of law enforcement have all the tools they

need to protect our citizens and deter criminal activity.

The goals of this legislation are laudable. Preventing money launders from using legitimate businesses, such as casinos and check cashing establishments, to conceal the proceeds of their illegal activities is a worthwhile objective. I do believe that the bill takes a reasonable approach toward combating money laundering through the check cashing industry. Accordingly, I do not recommend any changes to this portion of the bill. I believe, however, that this bill, as currently drafted, will unnecessarily impose criminal sanctions upon casino employees who act without criminal intent.

My concerns with this bill lie in the sections involving the casino licensees of New Jersey. As drafted, the bill requires every casino employee that encounters a transaction of \$3,000 or more in cash or casino markers to determine whether that transaction is "suspicious." The bill requires every casino employee to file a suspicious activity report if he or she "knows, suspects, or has reason to suspect" that the transaction 1) involves funds from illegal activities, 2) is part of a plan to evade any law or regulation, or 3) that the transaction has no business or other lawful purpose. How can the State charge a casino cashier, a blackjack dealer or a pit boss with the responsibility of determining whether a person cashing \$3,000 in chips is evading any State or federal law or regulation? Such determinations are the responsibility of law enforcement personnel and the judiciary, not the responsibility of front line casino employees.

Under the bill, if law enforcement authorities feel that a casino employee should have had reason to suspect that a particular transaction was suspicious and, accordingly, should have filed a suspicious transaction report, then the casino employee would be subject to a third degree crime with penalties of three to five years in jail and fines of up to \$15,000. With the criminal offense on his or her record, the casino employee would risk not being permitted to work in the casino industry again. I feel that such an approach is excessive and unnecessarily subjects the casino employee who acts without criminal intent to overly harsh punishment.

I do believe that knowing participants should be prosecuted to the fullest extent

of the law, because they are the true enablers of money laundering activities. Accordingly, I am recommending retaining the “knows” and “suspects” language contained in the definition of “suspicious transaction” Section 1 of the bill. I am, however, recommending that the definition of a suspicious transaction be amended to delete the “reason to suspect” portion of the definition in Section 1 of the bill. I also believe that the criminal penalty should be replaced with an administrative penalty. I recommend, however, that the fourth degree criminal penalty for informing a person who is the subject of a report that he or she is being reported to the Division of Gaming Enforcement be retained. Such a person would be tipping off a potential money launderer that the transaction was being reported to the Division of Gaming Enforcement and this activity deserves to be punished as a fourth degree crime.

I am also advised that the United States Treasury Department is about to propose suspicious activity reporting and anti-money laundering regulations through its Financial Crimes Enforcement Network (“FINCEN”). The federal regulatory proposals are not anticipated to contain criminal penalties for failure to file suspicious transactions reports. Moreover, it is unclear at this time whether the federal regulations will adopt the “reason to suspect” standard for suspicious activity reporting.

The divergence between state and federal standards is also implicated by the \$3,000 reporting requirement in Section 1 of the bill. The United States Treasury Department has been considering whether to adopt a \$3,000 or a \$5,000 reporting requirement for suspicious activity reporting by casinos and has not yet reached resolution on this issue. The current reporting standard applicable to banks and other financial institutions is \$5,000. In the interest of promoting consistency between the financial industry requirements and the casino industry requirements, I am recommending that the bill be amended to modify the reporting standard from \$3,000 to \$5,000. If the federal regulations provide for a \$3,000 standard when they are promulgated in April, then that standard will likely pre-empt state law and require New Jersey casinos to file suspicious activity reports at the \$3,000 level. If there should be any confusion between the state law and federal regulations, I will ask the

Legislature to promptly send me legislation that rectifies the inconsistency.

Therefore, I herewith return Senate Bill No. 1196 and recommend that it be amended as follows:

Page 1, Section 1, Line 14: After "aggregating" delete "\$3,000" and insert "\$5,000".

Page 1, Section 1, Line 15: After "knows" delete "," and insert "or" and after "suspects" delete "or has reason to suspect".

Page 1, Section 2, Lines 36-37: After "shall be" delete "guilty of a crime of the third degree" and insert "subject to the sanctions set forth in sections 129 of P.L.1977, c.110 (C.5:12-129). Nothing herein shall be deemed to preclude, if the evidence so warrants, an indictment and conviction for a violation of N.J.S.2C:21-25 or any other provision of law."

Respectfully,

Christine Todd Whitman  
Governor

Attest:

Richard S. Mroz  
Chief Counsel to the Governor



PO BOX 004  
TRENTON, NJ 08625

*Office of the Governor*  
**NEWS RELEASE**

CONTACT: Gene Herman  
609-777-2600

RELEASE: January 10, 2000

Gov. Christie Whitman today conditionally vetoed the following pieces of legislation. The Governor's conditional veto messages are attached.

**A-2386**, sponsored by Assembly Members Alex DeCroce (R-Essex/Morris/Passaic) and Richard A. Merkt (R-Morris) and Senators Henry P. McNamara (R-Bergen/Passaic) and Anthony R. Bucco (R-Morris), which would have directed the Commissioner of Transportation, upon application from certain municipalities, to require a railroad company or entity providing rail passenger service to sound a bell only at the grade crossing.

**S-1326**, sponsored by Senators Henry P. McNamara (R-Bergen/Passaic) and Donald T. DiFrancesco (R-Middlesex/Morris/Somerset/Union) and Assembly Member Nicholas R. Felice (R-Bergen/Passaic), which would have appropriated \$2.5 million from the General Fund to the Department of Environmental Protection for dredging the New Jersey portion of Greenwood Lake. The lake is located in Passaic County and in Orange County, N. Y.

**A-3410**, sponsored by Assembly Members Bob Smith (D-Middlesex/Somerset/Union) and Leonard Lance (R-Warren/Hunterdon/Mercer) and Senator John A. Lynch (D-Middlesex/Somerset/Union), which would have authorized municipalities to establish grant programs to provide relief to certain real property owners for damages from floods, hurricanes and other natural disasters.

**A-2773**, sponsored by Assembly Members Kevin J. O'Toole (R-Essex/Union) and David W. Wolfe (R-Monmouth/Ocean) and Senators Robert J. Martin (R-Essex/Morris/Passaic) and Bernard F. Kenny, Jr. (D-Hudson), which would have provided additional State aid to support full-day kindergarten programs in charter schools located in Abbott districts.

**S-456**, sponsored by Senator Ronald L. Rice (D-Essex) and Assembly Members Craig A. Stanley (D-Essex) and Wilfredo Caraballo (D-Essex), which would have increased the number of public members of the New Jersey Housing and Mortgage Finance Agency (NJHMFA).

**SCS for S-1196, 1197 and 1221**, sponsored by Senators Louis F. Kosco (R-Bergen), Wayne R. Bryant (D-Camden/Gloucester) and Garry J. Furnari (D-Bergen/Essex/Passaic) and Assembly Members Neil M. Cohen (D-Union) and Paul DiGaetano (R-Bergen/Essex/Passaic), which would have amended the Check Cashing Regulatory Act, and made it a crime to cash a check for consideration without a license. It would have also required the revocation of a license under certain circumstances and would have

amended the Casino Control Act to require casino licensees to file a suspicious transaction report.

**A-1951**, sponsored by Assembly Members Carol R. Murphy (R-Essex/Morris/Passaic) and Alex DeCroce (R-Essex/Morris/Passaic) and Senators Robert J. Martin (R-Essex/Morris/Passaic) and Anthony R. Bucco (R-Morris), which would have provided for an unlimited length of stay in free-standing special care nursing facilities for certain Medicaid recipients.

**A-1647**, sponsored by Assembly Members Guy R. Gregg (R-Sussex/Hunterdon/Morris) and Kenneth C. LeFevre (R-Atlantic) and Senators Robert E. Littell (R-Sussex/Hunterdon/Morris) and Jack Sinagra (R-Middlesex), which would have permitted self-employed business partners to be eligible for workers' compensation.

**S-1533**, sponsored by Senator Gerald Cardinale (R-Bergen) and Assemblyman Nicholas R. Felice (R-Bergen/Passaic), which would have prohibited health insurers that provide prescription benefits from imposing different terms and conditions based on type of pharmacy.

**S-1506**, sponsored by Senators Donald T. DiFrancesco (R-Middlesex/Somerset and Union) and Byron M. Baer (D-Bergen) and Assembly Members Nicholas R. Felice (R-Bergen/Passaic) and Joseph V. Doria, Jr. (D-Hudson), which would have allowed for a hospital to be designated as a children's hospital based on criteria of the National Association of Children's Hospitals and Related Institutions.

**S-286**, sponsored by Senators John A. Girgenti (D-Passaic) and Louis F. Kosco (R-Bergen) and Assembly Members Michael Patrick Carroll (R-Morris) and Nicholas J. Sacco (D-Bergen/Hudson), which would have eased the conditions for trial of certain juvenile offenders as adults. The bill would have given prosecutors the discretion to elect to waive certain serious juvenile cases to adult court without requiring judicial approval.

**A-2640**, sponsored by Assembly Members Paul Kramer (R-Mercer/Middlesex) and Barbara Wright (R-Mercer/Middlesex) and Senator Peter A. Inverso (R-Mercer/Middlesex), which would have authorized criminal background checks for youth agency employees and volunteers.

PO BOX 004  
TRENTON, NJ 08625

*Office of the Governor*  
**NEWS RELEASE**

CONTACT: Gene Herman  
609-777-2600

RELEASE: January 14, 2000

**S-279** (Girgenti) (Russo) - Clarifies duties and responsibilities of municipal prosecutors.

**S-504** (Ciesla/Matheussen) (Blee/Malone) - Requires public school districts to provide transportation to all nonpublic schools in certain situations.

**S-912** (Palaia/Bark) (Roberts/Geist) - Authorizes certain charges to office of county fire marshal and allows creation of arson investigation unit therein.

**SCS for S-1196** (Kosco/Bryant/Furnari) (Cohen/DiGaetano) - Amends "Check Cashers Regulatory Act" to make it a crime to cash a check for consideration without a license and requires the revocation of license under certain circumstances; amends "Casino Control Act" to require casino licensees to file suspicious transaction report.

**S-1492** (Sinagra/Bassano) (Cruz-Perez/Vandervalk) - "Physician- Dentist Fellowship and Education Program to Provide Health Care to Persons with Developmental Disabilities," appropriates \$2,500,000.

**S-2217** (Gormley) (LeFevre/Blee) - Clarifies that cooperative to condominium conversions are not subject to realty transfer fee.

**AS for SCS for S-949** (Blee/Cruz-Perez/Previte/Bryant/Gormley) (Jones/Asselta) - Makes Division of Criminal Justice investigators and probation officers eligible for body armor grants.

**A-2965** (Bodine/Gregg) (Sinagra/Vitale) - Clarifies that only large water systems are required annually to mail drinking water quality information to customers; requires certain entities to post water quality test results.

**A-3270** (Malone/Cottrell) (Singer/Allen) - Requires a board of education providing certain services to nonpublic school pupils to provide consultation with representatives of the nonpublic school on any change in the provision of services.

**A-3408** (Biondi/Heck) (Kavanaugh/Robertson) - Provides sales tax exemptions for certain purchases by flood victims of Hurricane Floyd.

**A-3571** (Blee) (Bryant/Matheussen) - Revises certain procedures for the receipt of State matching funds against contributions and donations made to institutions of higher education and institutional foundations.

**S-1842** (Singer/Bark) (Malone/Conaway) - Establishes a special license plate to aid Deborah Hospital Foundation.

**S-1869** (O'Connor) (Asselta/Gregg) - Makes permanent the Vietnam Veterans' Memorial Fund contribution gross income tax return check-off.

**SCS for S-2034** (Ciesla/Codey) (Moran/Impeveduto) - Establishes certain licensing requirements for limousine drivers and additional requirements for owners of limousines.

**A-2055** (Weinberg/Zisa) (Bassano/Singer) - Establishes Prostate Cancer Awareness, Education and Research Program in DHSS; appropriates \$1 million.

**A-3245** (Lance/Gregg) (Schluter) - Appropriates \$200,000 for deer control research.

**A-3410** (Lance/Smith) (Lynch) - Authorizes municipalities to establish grant programs to provide relief to certain real property owners for damages due to floods, hurricanes and other natural disasters.

**A-3568** (Felice/Doria) (Bassano/Codey) - Continues health service corporation member on Individual Health Coverage and Small Employer Health Benefits Program boards.

**A-3622** (Kramer) (Inverso) - Excludes certain hedge fund activity income of corporations of foreign nations from taxation under the corporation business tax.

**A-3636** (DeCroce/Ciesla) - Exempts motor carrier employees from the State's statutory overtime wage rate requirements.